

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FOTINEE FARAH ZAKI

Plaintiff

V.

CIVIL ACTION: 04-10705-RWZ

USA

Defendant

ORDER FOR INITIAL PRETRIAL CONFERENCE

DATE: February 2, 2005

The above-entitled action will be called for pretrial conference on FEB. 8, 2005 at 2:30 P.M.
in Courtroom No. 12, 1 Courthouse Way, Boston, Massachusetts.

Unless excused by the Court, each party shall be represented at the pretrial conference by counsel who will conduct the trial. Counsel shall have conferred with their clients and with each other to explore the possibilities of settlement before the pretrial conference and shall be prepared to advise the Court as to the prospects of settlement. All pending motions and other matters ready for hearing will be considered at the conference.

Prior to the pretrial conference, counsel shall meet and confer for the purpose of preparing either jointly or separately, a pretrial memorandum for presentation to the Court at least five days prior to the conference.

The pretrial memorandum shall set forth:

1. The names, addresses and telephone numbers of trial counsel;
2. Whether the case is to be tried with or without a jury;
3. A concise summary of the positions asserted by the plaintiff, defendant, and other parties, with respect to both liability and damages (including special damages, if any);
4. The facts established by pleadings or by stipulations or by admissions of counsel. In particular, counsel shall stipulate all facts not in genuine dispute;
5. Contested issues of fact;
6. Any jurisdictional question;
7. Issues of law, including evidentiary questions, together with supporting authority;
8. Any requested amendments to the pleadings;
9. Any additional matters to aid in the disposition of the action;
10. The probable length of trial;
11. The names and addresses of witnesses who shall testify at the trial, and the purpose of the testimony of each witness, i.e., whether factual, medical, expert, etc. Unless the qualifications of any medical or other expert witness are admitted, a brief statement of the qualifications of such witness shall be included; and
12. A list of exhibits, agreed upon exhibits should be marked using one set of numbers, any exhibit not agreed upon should be marked using one set of letters for id. Counsel shall provide a brief statement of the ground for any objections.

Immediately upon receipt of this order, any counsel who realizes that one or more attorneys have not been notified shall forthwith notify the additional attorney(s) in writing as to the entry of this order, and shall file a copy of the writing with the Clerk.

In the event that some disposition of the case has been heretofore made, or is made before the pretrial conference, counsel shall by telephone forthwith notify the Deputy Clerk signing this Order and promptly thereafter submit closing papers. Compliance with this Order is not excused, absent the actual filing of closing papers or the entry of a Settlement Order of Dismissal in a form prescribed by the Court.

Failure to comply with any of the directions set forth above may result in judgment of dismissal or default, or the imposition of other sanctions deemed appropriate by the Court.

BY ORDER OF THE COURT,
ZOBEL, D.J.

____s/ Lisa A. Urso _
DEPUTY CLERK